

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

DANNY L. JOHNSON,)
)
Plaintiff,)
)
vs.) CIVIL NO. 03-719-GPM
)
CHARLES RUBRIGHT, JERI BYERLEY, and)
LARRY BROEKING,)
)
Defendants.)

JUDGMENT IN A CIVIL CASE

DECISION BY COURT. This action came before the Court on a motion for summary judgment filed by Defendant Rubright (Doc. 14).

IT IS ORDERED AND ADJUDGED that pursuant to the Court's September 1, 2006 Memorandum and Order, Magistrate Judge Wilkerson's Report and Recommendation (Doc. 21) is **ADOPTED**, and all claims against Defendant Rubright are **DISMISSED on the merits**.

IT IS FURTHER ORDERED AND ADJUDGED that the claims against Defendants Byerley and Broeking are **DISMISSED on the merits** pursuant to Order filed on June 13, 2005 (Doc. 4).

IT IS FURTHER ORDERED AND ADJUDGED that this entire action is **DISMISSED with prejudice**, all claims having been resolved on the merits. The parties shall bear their own costs.

DATED: 9/1/2006

NORBERT G. JAWORSKI, CLERK

By: s/ Linda M. Cook
Deputy Clerk

APPROVED: s/ G. Patrick Murphy
G. PATRICK MURPHY
CHIEF U.S. DISTRICT JUDGE